

## House Bill #4306

Chairman Scott and members of the House Education Committee, I want to thank you for allowing me time to speak this morning.

My name is Howard Dashney and I have been involved in Michigan's pupil transportation industry for the past thirty-five (35) years. I was pupil transportation coordinator for the Kalamazoo Valley Intermediate School District (KRESA) for thirteen (13) years. During that time, I managed the Regional Transportation and Safety Institute. The Institute provided management, technical, and training services for 175 public and private schools and contractors in southwest and south central Michigan. For five (5) years, I was the pupil transportation consultant for the Michigan Department of Education. My duties included administering the calculation and disbursement of 102 million dollars to reimburse public school pupil transportation services. I provided management and technical support to local and intermediate school districts. For seven (7) years, I was the director of pupil transportation for the Lansing School District. I was the Executive Director of the Michigan Association of Pupil Transportation for three (3) years. For the past seven (7) years, I have provided pupil transportation consulting services to school districts in Michigan and throughout the United States.

I am here today to speak in opposition to HB-4306.

This bill handcuffs school districts to an inflexible approach to solving serious problems requiring innovative and nimble management. It does not account for nor recognize school district history, location, or initiative when problem solving. There are no data to support that the approach prescribed in the bill is the only way for local districts to respond to this financial calamity. However, there are data to suggest that HB-4306 is redundant.

The **School Code, MCL 380.627**, requires intermediate school districts to provide management, supervisory, and consultative services to local school districts when they cannot efficiently provide them. The section provides a list of instructional and non-instructional services for which local districts may ask for intermediate district assistance.

The **School Code, MCL 380.761, (9/19/2007)**, required intermediate school districts to conduct a study with its constituent districts and academies concerning opportunities to share services with providers of other similar services. The law provided a specific list of non-instructional services to study. The law also required that within six (6) months the intermediate school districts submit a report of results to the department of education. The department had two (2) months to summarize these reports and submit a list of recommendations to the Standing House and Senate Committees responsible for education legislation. The state school aid act, MCL 388.1681, provided funds to support the activities required in MCL 380.1274.

The **School Code, MCL 380.11a (4)**, states: "A general powers school district may enter into agreements or cooperative arrangements with other entities, public or private, or join organizations as part of performing the functions of the school district."

The **Public Employee Relations Act** (PA-336 of 1947), **MCL 423.215** parts (1) (3) (f) state:

(1) “A public employer shall bargain collectively with the representatives of its employees ... ***this obligation does not compel either party to agree to a proposal or require the making of a concession.***”

(3) “Collective bargaining between a public school employer and a bargaining representative of its employees ***shall not*** include any of the following subjects:

(f) The decision of whether or not to contract with a third party for 1 or more non-instructional support services; or the procedures for obtaining the contract for non-instructional support services other than bidding described in this subdivision; or the identity of the third party; or the impact of the contract for non-instructional support services on individual employees or the bargaining unit. However, this subdivision applies only if the bargaining unit that is providing the non-instructional support services is given an opportunity to bid on the contract for the non-instructional support services on an equal basis as other bidders.”

A cursory review of the Michigan School Code, State School Aid Act, and Public Employee Relations Act indicates sufficient legal authority to give districts the flexibility to deal with the financial and operational problems at their doorsteps. A survey of local school districts and intermediate school districts will illustrate they have taken and are taking full advantage of the legal authority at their disposal. Piling on another law that does not expand but restricts their options is non-productive.

The Committee may want to consider another approach. Promote the idea that the Legislature uses its influence with state departments to support the effort and innovation carried out by local districts. Promote the communication of data derived from activities and programs that show promise solving problems. Provide funding for outcomes not process.

HB-4306 will not give districts new tools so is not worth the valuable time of this Committee or the Legislature.

Thank you for the opportunity to speak with the Committee.

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